"As the prosecuting attorney arose to address the jury, Wilson was brought into the court-room alive"

MY RECOLLECTIONS OF ABRAHAM LINCOLN

By Gibson William Harris

A Law Student in Lincoln and Herndon's Office From 1845 to 1847

EDITOR'S NOTE—These Recollections were begun in the November number, the present article being the third of the series. The fourth and concluding paper appears next month, when Mr. Harris will describe two notable interviews with Mr. and Mrs. Lincoln, in 1859 and February, 1861, respectively. Mrs. Harris taking an interesting part in the former one. It will also touch on Lincoln's devotion to the Union, the ripening of his views on the slavery question, and his personal relations with Stephen A. Douglas.

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A Masterful Mentality

NO CHARACTER in American history surpasses Abraham Lincoln in force of intellect. His mind was an X-ray for penetration. The readiness with which he pierced to the core of any subject engaging his attention impressed me deeply. Without an effort he would strip a statement or an argument of all enswathing verbiage, and hold up to plain view the ultimate analysis of it, so that one could not help seeing the underlying thought just as he had seen it from the first. To this mental quality, I am persuaded, was due his scarcely disguised impatience with the multiplication of pleas and replications so common in legal practice; the premium they put on the faculty of "how not to say it" tantalized and disgusted him. He explored, as by intuition, the mysteries of hidden things, as well in plant and tree as in human nature. Originality characterized him here, as everywhere. I remember hearing him remark that a tree divested of its foliage was, if anything, more interesting to him than the same tree in its full array of green. The skeleton, he said, was then exposed to view in all its beauty of curved lines or its ugliness of knots and gnarls, and it was easy to decide whether it was worthy of one's admiration or not.

His independent cast of mind and his self-reliance were alone sufficient to stamp him as no ordinary man. I cannot recall a single circumstance tending to show that he was influenced in his judgment or his conduct by any of his associates. On the other hand, I continually saw other men influenced by him, sometimes to the complete reversal of opinions previously formed. Mr. Herndon's account of how he tolled Mr. Lincoln into the anti-slavery camp is drawn out beyond credibility, though for that matter, it would not surprise me if at certain times the junior partner found it possible to believe he had made the senior not only an Abolitionist, but a statesman and President.

One striking example of Lincoln's independent thinking has been turned to account by Winston Churchill in his novel "The Crisis," in connection with the Freeport debate with Senator Douglas. Another is not so generally known. Though never making a hobby of it, Mr. Lincoln candidly avowed his belief in the justice of woman suffrage. As early as 1837 he took decided ground in favor of extending the franchise to unmarried women who were taxpayers, holding that these could claim it by a double right—a property right, in addition to the natural one.

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Mr. Lincoln's Literary Tastes

He greatly enjoyed Burns and Shakespeare, and was partial also to Byron and Poe. I heard him repeat many passages from them, particularly from Burns, whose "Cotter's Saturday Night" and "Epistle to a Young Friend" I think he memorized entire, though the poem he quoted from in my hearing oftenest of all (usually mere snatches) was "Tam O'Shanter." "The Raven" was published in the same year that took me to Springfield. It strongly attracted Mr. Lincoln, as did any well-written composition in the line of the sad or the weird and mysterious. Poe's prose writings, especially "The Gold Bug" and "The Facts in the Case of M. Valdemar," caught his fancy almost equally with the same author's verse. First and last, I heard him repeat quite a number of poems, mostly short ones, picked up from the newspapers or the few magazines of that day. This fugitive was his favorite of favorites, the poem commencing:

Oh! Why should the spirit of mortal be proud?
Like a swift-fleeting meteor, a fast-flying cloud,
A flash of the lightning, a break of the wave,
Man passes from life to his rest in the grave.

PRESIDENT LINCOLN

This portrait, so familiar to Americans, was chosen by Hon. Robert T. Lincoln on one occasion as the best in a collection of fifty photographs of his martyred father

Many a time at the office did he recite this poem, in whole or in part; for a while I actually thought he had written it, so nearly did it resemble, in tone and meter, one of several compositions of his own that I had found in the office desk. One day I asked him for a copy of it. "All right," he said; "get pen, paper and ink, and you can take it down as I repeat it." I still have the copy, fourteen stanzas, thus made. At that time he did not know who wrote the piece; I asked him point-blank. Since 1865 the name of William Knox, a Scotch poet, has been so linked with his in this connection as to have become familiar to Americans. Even at this distance of time—upward of fifty-seven years—I can see him, as he sat opposite me at the office table; see his kindly, patient face, and hear his pleasant voice, modulated to the pensiveness of the poem, as he slowly dictated line after line, broken only by his deliberate answers to the questions I was obliged to put from time to time, to make sure of getting the words correctly.

My Find of Original Lincoln Poems

By accident I made the interesting discovery that Mr. Lincoln himself wrote poetry, and, so far as I was capable of judging, poetry above the mediocre. In arranging the books and papers in the office one morning, I came across two, or it may have been three, quires of letter-paper stitched together, lying inside the office desk, and on turning the leaves I saw they were covered with stanzaed effusions in Mr. Lincoln's neat running-hand, all evidently original. As I remember, they were all, or nearly all, iambics and pensive in tone. When he came in, I went to the desk, drew out the manuscript, and held it up, with the unnecessary and possibly impertinent inquiry whether the poems were his. He simply said, "Where did you find it?" took the manuscript out of my hand, rolled it up, and stuffed it in his coat-tail pocket. It was never seen afterward. My impression is that when he went home that noon the roll was incontinently stuck in the fire.

Mentioning my discovery to Mr. Herndon, I was told, "Yes, he has sometimes scribbled verses, I believe, but he seems unwilling to have it known." What interest, what priceless worth these selfsame scribblings would have were they extant to-day!

He Wrote by Ear, He Said

"Education deficient," wrote Abraham Lincoln of himself when he was President. Nevertheless he possessed an unerring ear for the proper and the musical in verbal expression. On several occasions he handed me to read, or read to me himself, articles that he had written for the newspapers, and with his customary directness and avoidance of quizzing asked me to criticize their grammatical construction; but I think I never found criticism possible. I well remember asking him how it came that he was able to write so correctly, if he had never studied the rules of grammar. "I write by ear," he said. "When I have got my thoughts on paper, I read it aloud, and if it sounds all right I just let it pass."

"As he sat opposite me at the office table, and slowly dictated line after line of the poem"

How unsatisfactory the product of writing by ear ordinarily is I doubt not legions of worn and weary editors stand ready to testify. But in this respect also Abraham Lincoln was a law unto himself. In all literature is there a finer gem than his letter to Mrs. Bixby, an obscure woman living in Boston? It has been engrossed and framed, and hung in the library of one of the venerable colleges of Oxford University as a model of pure English. Already printed many times, it is sure to be printed many times more:

DEAR MADAM:—I have been shown on the file of the War Department a statement of the Adjutant-General of Massachusetts that you are the mother of five sons who have died gloriously on the field of battle. I feel how weak and fruitless must be any words of mine which should attempt to beguile you from the great grief of a loss so overwhelming; but I cannot refrain from tendering to you the consolation that may be found in the thanks of the Republic they died to save. I pray that our Heavenly Father may assuage the anguish of your bereavements, and leave only the cherished memory of the loved and lost, and the solemn pride that must be yours to have laid so costly a sacrifice upon the altar of freedom.

Yours Very Sincerely and Respectfully,
ABRAHAM LINCOLN.

Whence Lincoln's Command of English?

How did Lincoln attain his almost matchless command of English, the only tongue he knew? That his familiarity with the Bible and with Shakespeare, Burns, Byron and Poe not only enriched his vocabulary, but greatly aided him in acquiring that mastery of style which was his ambition from childhood, cannot be doubted. His boyish habit of rhyming must likewise have supplied valuable training. Yet the question remains, How came he to know the correct pronunciation and exact meaning of so many words far removed from ordinary pioneer usage, if his knowledge of them depended wholly on his reading? He went to school, it is said, only six months all told; and as for his associations, they were nearly all with unlettered persons until after he was twenty-two. Since the fact is well established that home is where a child learns the mother-tongue, it is a hobby of mine that Lincoln's English ancestors must have been persons of at least fair education, and his purity of style largely a family inheritance. Thomas Lincoln, the father, was an orphan at six years of age, and under the old law of primogeniture the small patrimony all went to Mordecai Lincoln, who was the eldest brother. Little wonder that the youngest "grew up literally without education;" the boy had all he could do to make a living at work for the scantiest of wages. Yet, so far as I have been able to learn, Thomas Lincoln habitually used clear, idiomatic English in conversation. My conviction is strong that the biographers have overdone the alleged ignorance and uncouthness of the Lincoln stock, if not of the pioneers as a body.

AUTOGRAPH IN TENTH YEAR

In this connection, as well as in others, Lincoln's boyish signature that is still preserved inside the front lid of the family Bible is certainly interesting. In point of legibility, and approximate correctness in forming the letters, it would pass as very creditable in the lower grades of a grammar-school even at this day, when every lad is privileged to give several years, instead of six months, to the three R's.

His Method with Clients

Any statement made to him by a client Mr. Lincoln held as sacred. No secret of the confessional was ever more jealously guarded. Remembering how frequently I heard him tell clients that his clerk could be depended on for the same reticence, and therefore no hesitancy need be felt about stating the facts exactly as they were, I have never felt at liberty to discuss certain criminal cases that I became familiar with at the office. In all of them Mr. Lincoln succeeded, I believe, in bringing about a settlement outside the courts, making no charge for his services; but where the wrongdoing was an aggravated one the guilty party never got off without a severe lecture. At times these tongue-lashings of his were terrible to hear, for on occasion he could prove himself a master of invective.

From personal knowledge I can corroborate the statement often printed that under no circumstances would he consent to appear for a side he knew was in the wrong. He spared no pains to get at the truth before accepting a retainer. In going to law, a man's instinct is the same as in courting—he is sure to put his best foot foremost. Lincoln would say to the litigant: "Don't give me your strong points; they will take care of themselves. Tell me your weak points, and after that I can advise what is best to be done."

I believe it literally true that by his counsel more cases were settled without trial than through litigation. He never asked a fee for bringing about such a termination, and when I took the liberty once of saying it would be no more than fair for him to make *some* charge, he laughed good-naturedly, and said, "They won't care to pay me; they don't think I have earned a fee unless I take the case into court and make a speech or two." In case the dispute was of so trivial a nature as to render it unlikely that it would go any further than a magistrate's office, his habit was to refer the party to some one or other of the young attorneys, for whom he always had a good word ready.

The Famous Bill Armstrong Trial

I have already expressed the belief that the details of his law practice were frequently irksome to Mr. Lincoln, and suggested a probable reason for it. At the same time, when his heart was enlisted in a case he was a powerful advocate. His simple statement of the facts often had more weight with the jury than the sworn testimony of the witnesses. The celebrated Bill Armstrong trial, so dramatically set forth in Edward Eggleston's novel, "The Graysons," furnished a fine example of Lincoln's power before a jury when fully aroused. As it came off eleven years after I left Springfield, I have no knowledge of it personally, but feel very sure the young man—who was the son of a woman Lincoln had boarded with twenty years before, and whom, when a baby, he had many times rocked to sleep, to help the overworked mother—was not cleared by sharp practice. Some years since a nameless Bohemian gave wide currency to the account of a manipulated almanac, by means of which Lincoln broke down the testimony of the main witness for the prosecution and hoodwinked judge and jury alike. Whether this yarn germinated in or out of the said Bohemian's brain is of small importance; the point is, it was utterly impossible for a man of Lincoln's rigid integrity to concoct or even consent to any such trick.

An Amusing Case

Now and then Mr. Lincoln's abounding sense of humor would find play even in the dry-as-dust items of his profession. One such case has been a source of perennial amusement to me and mine. A crack-brained attorney, Urquhart by name, lived in Springfield, supported mainly by the helping hand of other lawyers of the place. He contracted a debt of two dollars and fifty cents to a wealthy citizen of the county, a new-comer, who, after several futile attempts to make collection, came to the office one day clearly in "a state of mind" to arrange for bringing suit. Guardedly yet circumstantially Mr. Lincoln explained to the man Urquhart's mental and financial condition, and as the obligation was so small advised that the matter be dropped. But Mr. Smith's temper was up. He insisted on prosecuting the case. In his calm and friendly way Mr. Lincoln again sought to dissuade the man.

"You cannot possibly make it off him," I finally heard him say; "and even if you could, the suit would cost you more than we should be bringing it for."

"But I want to show him I am not to be trifled with. His behavior is outrageous, and I don't intend to put up with it. Mr. Lincoln, if you are not willing to take the case, say so, and I will go elsewhere."

"Of course, Mr. Smith, if you insist on it, I shall consider it an honor to act for you, and there is no doubt we can get judgment. But I think it only right to tell you beforehand my charge will be ten dollars."

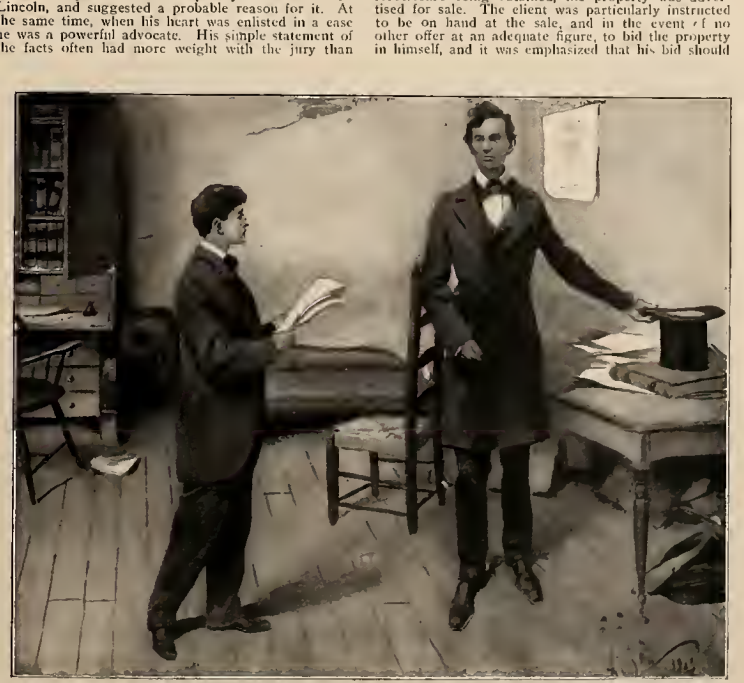
"All right, here it is."

Laying down a ten-dollar bill, the man gave peremptory instructions to sue poor Urquhart that very day, and on Mr. Lincoln's assurance this should be done, he left apparently satisfied. In a few minutes Mr. Lincoln picked up his hat and went out. When he came back, rather more than an hour later, I noticed an amused expression playing over his features.

"You heard what Smith said," he remarked. "Well, I kept my promise—went over and sued Urquhart, hunted him up and told him, handed him a five-dollar bill, and got him to go to the squire's office with me. He confessed judgment and paid the bill. I couldn't see any other way of making things satisfactory to Mr. Smith and all concerned."

Another Client Who Overreached Himself

A well-to-do citizen of Springfield loaned a business acquaintance a few hundred dollars, the security being a mortgage on a piece of real estate. After a time Mr. Lincoln was engaged to foreclose the mortgage. The usual procedure was followed, and a decree of foreclosure being obtained, the property was advertised for sale. The client was particularly instructed to be on hand at the sale, and in the event of no other offer at an adequate figure, to bid the property in himself, and it was emphasized that his bid should



"He simply said, 'Where did you find it?' and took the manuscript out of my hand"

be high enough to cover the indebtedness. The sale passed off very quietly. After it was over the client came into our office chuckling not a little over the fact that he had got the land, and, what was more, had got it at much less than the claim, thus enabling him to still hold an unpaid balance of nearly three hundred dollars as an additional sum he expected to get later.

"You greedy simpleton!" exclaimed Mr. Lincoln. "You knew that your mortgage covered the value of the loan, you knew that he owned no other property, you knew the remaining creditors could get nothing by suing him, and you knew that under the law every mortgager has a certain time in which to claim his right of redemption. Now what have you done? Some other creditor will bring suit and get judgment against him, and if at the end of the legal time he fails to redeem the land the judgment creditor will step in and do it. Then you will get simply the amount of your bid, no more, and the other creditor will hold the land."

The situation thus revealed to him in its true light, the client's chuckle changed to a whine. He begged Mr. Lincoln to help him out of his predicament, and in the end got his full claim, and along with it some sound advice on the subject of greed.

A Sensational Murder Trial

Some time in the middle 40's Mr. Lincoln served as attorney for the defense in a murder trial of the most sensational nature, and not long after I came to the office he received a letter from a newspaper publisher in Quincy, Illinois, requesting an authoritative account of the case, for the satisfaction of the wide-spread interest it had excited. Mr. Lincoln complied, and after reading aloud what he had written, handed the sheets to me to read. His report was almost as terse as an abstract to be laid before the Supreme Court, being substantially as follows:

"Two brothers, with a friend named Wilson, came to visit a third brother living in Springfield. In due time they left, or were supposed to have left, for their respective homes in another part of the state. Several weeks later a letter was received asking the whereabouts of Wilson. Next came detectives, who reported that Wilson was missing, and it was feared he had been murdered for his money, a considerable amount of which, in gold, he was known to have carried on his person. Their investigations developed the fact that the third (the Springfield) brother had recently paid off some old debts in gold; when questioned, the young man frankly admitted the fact, but claimed he had borrowed a limited amount from Wilson, to secure relief from the pressure of certain creditors. The detectives did not accept this explanation, and having satisfied themselves that Wilson had last been seen in the company of the three brothers, they caused the arrest of all three, and had them placed in the Sangamon County jail. Their next step was to prove, if possible, that the missing Wilson had been made away with. Failing in every effort in this direction, they had the brothers separated and examined individually, in the hope of obtaining a confession from one or more of them.

"One of the brothers was weak-minded, and to him misrepresentations were made as to what the other two had said, with strong intimations they had told on him. He was informed that if he would give the true story he should have exemption from trial, but otherwise was sure to be hung. Wrought upon in this and other ways, he was induced to turn state's evidence, and to say that, on their last day in Springfield, the three brothers and Wilson had gone for a walk on the road leading to Hickox Mill; that they killed Wilson and hid the body in a hazel-patch by the roadside until after dark, when they went out with a buggy, got the body, and sank it in the mill-pond. The pond was dragged without result, though wheel-tracks into the pond were noted, as also the trampled condition of the hazel-patch. Then it was argued the body might have been removed and buried by the Springfield brother; at any rate, the failure to find it could not affect the case, as the confession met fully every requirement of the law.

Lincoln's Account Concluded—The Denouement

"The attorney for the defense," continued Lincoln's account, "gave no credence to the confession. He believed Wilson to be still alive. He had ascertained that the missing man was subject to spells of insanity, and while in that condition had twice before wandered long distances from home. He caused searching-parties to be sent out. The day of trial came, but still no Wilson. The brother who had confessed told his story on the witness-stand, and in rebuttal the defense could only introduce testimony to the previous good character of the accused. The trial was short. As the prosecuting attorney arose to address the jury, he was delayed by a commotion at the door. Wilson was brought into the court-room alive. Acquittal of the two brothers followed without question."

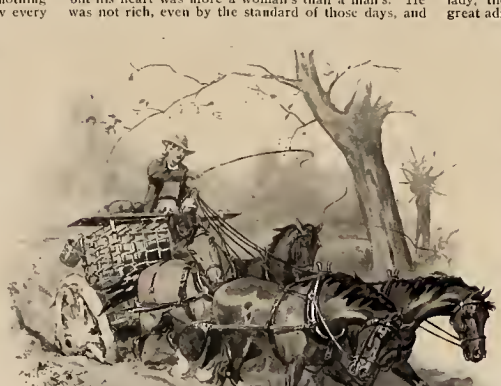
This report would scarcely have passed muster with a managing editor of to-day, so many were the "catchy" points left out. It made no mention of how like bedlam the court-room became, nor how the attorney for the defense was cheered; nor how the two defendants rushed into each other's arms and wept like children; nor how the sheriff, fearing for the safety of the perjured brother, conducted him swiftly out and double-locked him inside the jail; nor yet how Mr. Lincoln, as was generally believed, had defended the two men without price, and not only so, but out of his own means had defrayed all the expenses of the searching-parties.

Wilson, when fully restored to health, substantiated everything the Springfield brother had said about the borrowed money. As for the weak-minded state's evidence, he escaped without punishment, the court sharing the general opinion that, considering his mental infirmity, he was more sinned against than sinning.

Lincoln's Charities of Heart and Hand

Mr. Lincoln's mind was logical to the last degree, but his heart was more a woman's than a man's. He was not rich, even by the standard of those days, and his benefactions, compared with the amounts some of the great capitalists of to-day occasionally set aside for benevolence, would seem absolutely insignificant. But in proportion to his means his giving was munificent, and best of all, his heart went with it. However, he never talked about these things, nor did his manner, in carrying out the most generous purpose, ever show the slightest self-consciousness; he seemed to regard everything of this kind as a matter of course.

He was, by habit, the friend of the widow and the fatherless, and while, at this distance of time, it would not be practicable to particularize his charities, I well remember Mr. Herndon's oft-repeated murmurings on this score. "Lincoln wouldn't have a dollar to bless himself with," he used to say, "if some one else didn't look out for him. He never can say 'No' to any one who puts up a poor mouth, but will hand out the last dollar he has, sometimes when he needs it himself, and needs it badly." So far, however, from Mr. Lincoln's kindness being inconsiderate, it was a thoroughly regulated principle. His judgment and his unswerving integrity alike stood guard over it. Several times during the Civil War this was brought home to me afresh in conversations with a customer of mine in Cincinnati, a Kentucky lady nearly related to Mrs. Lincoln. This lady, though of ardent secession sympathies, was a great admirer of President Lincoln, and well she might be, for he had repeatedly favored her family in a protective way, yet always in such manner as to avoid injury to the Union cause.



A MAIL EXPRESS OF SEVENTY-YEARS AGO

Side-Lights on Traveling the Circuit

Mr. Lincoln was not given to complaining. As I look back over it, the equanimity with which he accepted the rougher features of traveling the circuit seems astonishing. Chief among these features were the wretched hotel accommodations. The taverns, invariably so called, were almost always cheerless and uncomfortable. All sold whisky and other liquors at a bar alongside the rude office. The food, though commonly of good material, was often badly cooked and poorly served. The "transient" of those days could not be sure of finding his hostelry so much as waterproof; more than once I have slept with tiny eddies of snow drifting in upon my bed. The furniture in the guest-chamber rarely comprised more than the bedstead, one or two split-bottom chairs, and possibly a spittoon. The bedding was usually abundant, perchance the bedbugs superabundant. The guests performed their ablutions in a tin basin on the back porch, or on a bench out by the well in the yard, using soft soap, if any soap at all, and wiping on a crash towel that late risers were sure to find too wet for effective service. I distinctly remember washing at the well one morning when the thermometer was thirty degrees below zero, the water freezing on the basin-side as it dropped from my hands. It was either this or postponing the rite to another day. As might be expected, tavern charges were ridiculously low.

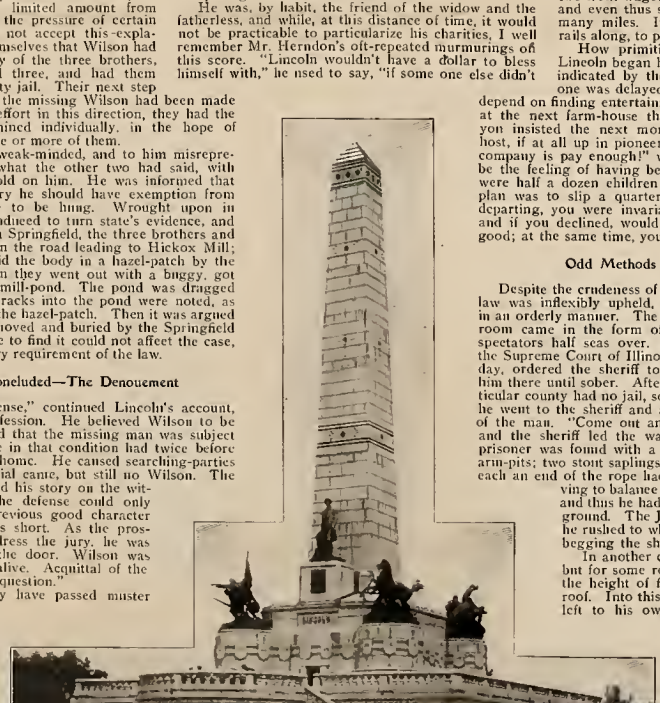
During spring thaws the roads throughout a large part of Illinois and Indiana became practically impassable. Along the trace road between Louisville and St. Louis, following the old buffalo and Indian trail across the Wabash bottoms, I have seen the mail carried in a queensware-crate mounted on the axle of two front wagon-wheels with four horses hitched to it, and even thus sixteen hours were spent in making as many miles. It was common for wagoners to take rails along, to pry their wheels out of the mud.

How primitive rural society was when Abraham Lincoln began his circuit rounds is well and pleasingly indicated by the then prevailing hospitality. In case one was delayed, and no tavern within reach, he could depend on finding entertainment for himself and feed for his horse at the next farm-house that he came to. All was free, unless you insisted the next morning on making payment, when the host, if at all up in pioneer etiquette, would say, "Stranger, your company is pay enough!" while on your part there would indeed be the feeling of having been pumped dry. Nearly always there were half a dozen children scampering about the house, so your plan was to slip a quarter into the hand of the nearest. On departing, you were invariably asked to take a drop of whisky, and if you declined, would be told you did not know what was good; at the same time, your declination never gave offense.

Odd Methods with Court Disturbers

Despite the crudeness of pioneer civilization, the majesty of the law was inflexibly upheld, and its processes gone through with in an orderly manner. The most common annoyance in the court-room came in the form of loud talking and braggadocio from spectators half seas over. Judge Wilson, later Chief Justice of the Supreme Court of Illinois, having such a case to deal with one day, ordered the sheriff to place the offender in jail, and keep him there until sober. Afterward the Judge remembered that particular county had no jail, so immediately on adjournment of court he went to the sheriff and asked what disposition had been made of the man. "Come out and see, Judge," was the laconic reply, and the sheriff led the way to the woods close by, where the prisoner was found with a rope around his body just under the arm-pits; two stout saplings had been bent over, and to the top of each an end of the rope had been fastened, the man's weight serving to balance the uplifting power of the two saplings, and thus he had been left, his feet resting lightly on the ground. The Judge ordered him released, whereupon he rushed to where his horse was tied, and started off, begging the sheriff not to let his wife know about it.

In another county a jail of logs had been planned, but for some reason had been left unfinished when at the height of five or six feet, with neither door nor roof. Into this pen a similar offender was hoisted and left to his own meditations. On his way to the tavern for supper Judge Wilson happened to pass by, and was surprised to hear some one calling, "Jedge, oh, Jedge!" Turning about, he recognized the infractor of the court's dignity perched on the topmost log at one corner of the pen. "I want to get home," pleaded the man. "Don't you think I have been here long enough, Jedge?" "Yes, you can get down and 'git.'" This was language the backwoodsman understood; down he clambered, and struck out for horse and home. He had really been free to make his escape from the moment he was sober enough to undertake it; but, rough as he was, he felt he was justly under the ban of the law, and he made it a point of honor not to shirk the punishment.



THE LINCOLN MAUSOLEUM SPRINGFIELD, ILLINOIS
Rebuilt by the State of Illinois in 1901